



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CITY OF ALMATY, KAZAKHSTAN and  
BTA BANK JSC,

Plaintiffs,

19-CV-2645 (AJN) (KHP)

-against-

ORDER

FELIX SATER, et al.,

Defendants.  
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KATHARINE H. PARKER, United States Magistrate Judge:

On June 4, 2019, the parties attended an Initial Case Management Conference before this Court. After conducting a review of the pleadings and consultation with the parties, the following Scheduling Order is entered pursuant to Rule 16 of the Federal Rules of Civil Procedure:

**Pleadings and Parties.** The parties may amend the pleadings or join additional parties until July 17, 2019.

**Discovery.** All fact discovery shall be completed by June 4, 2020. All expert discovery shall be completed by October 9, 2020. At this time, the parties may commence any third-party discovery that is not redundant.

**Interim Discovery Deadlines.** The parties shall serve initial disclosures, initial document requests, and interrogatories by no later than July 9, 2019. Responses thereto shall be due on July 23, 2019. Requests for admission shall be served by June 4, 2020. Responses thereto shall be due on July 6, 2020. Any final document requests and/or interrogatories shall be served by no later than May 4, 2020. All depositions shall be completed by June 4, 2020. Interim deadlines may be adjusted by the parties without further order of the Court.

**Rule 1 and Rule 26(b)(1).** Counsel shall comply with Rule 1 and Rule 26(b)(1) in the conduct of discovery.

**Document Requests.** Counsel shall be fully familiar with their obligations under Rules 34 and 26(g) and consider and discuss ways to ensure compliance and minimize disputes regarding overbreadth and specificity of requests and responses. A failure to comply with this responsibility carries serious consequences. Requests for “any and all” documents on a broad topic are presumptively improper. Likewise, courts have held that an objection that does not appropriately explain its grounds is forfeited. *See, e.g., Wesley Corp. v. Zoom T.V. Prods., LLC*, No. 17-100212018, 2018 WL 372700, at \*4 (E.D. Mich. Jan. 11, 2018); *Fischer v. Forrest*, 14 Civ. 1304 (PAE) (AJP), 14 Civ. 1307 (PAE) (AJP), 2017 WL 773694 (S.D.N.Y. Feb. 28, 2017) (“[A]ny discovery response that does not comply with Rule 34’s requirement to state objections with specificity (and to clearly indicate whether responsive material is being withheld on the basis of objection) will be deemed a waiver of all objections (except as to privilege).”).

**Discovery Disputes.** The parties shall follow the Court’s Individual Procedures with respect to any discovery disputes. *See* <http://nysd.uscourts.gov/judge/Parker>.

**Motions to Dismiss and Time to Answer.** Motions to dismiss should be filed by no later than **July 31, 2019** and in accordance with the Hon. Alison J. Nathan’s Individual Practices. *See* <http://www.nysd.uscourts.gov/judge/Nathan>. Any Defendant that does not move to dismiss is directed to file an Answer by no later than **July 31, 2019**.

Further, as discussed during the conference:

- The parties are directed to file a joint letter on ECF by no later than **June 18, 2019** addressing the overlap of discovery between this action and the related case, *City of Almaty, Kazakhstan, et al. v. Mukhtar Ablyazov, et al.*, 15-cv-05345 (AJN) (KHP), and the parties' proposed protective order.
- The parties are further directed to file a joint letter on ECF by no later than **July 9, 2019** addressing whether Plaintiffs will amend their pleadings and whether Defendants will move to dismiss. If Defendants will move to dismiss, the letter should also include a proposed briefing schedule.
- Plaintiffs' Motion for a Default Judgment against Defendant MeM Energy Partners LLC is due by no later than **July 31, 2019** and should be filed in accordance with the Judge Nathan's Individual Practices. See <http://www.nysd.uscourts.gov/judge/Nathan>.

A case management conference is hereby scheduled for **July 31, 2019 at 11:30 a.m.**

**SO ORDERED.**

DATED: New York, New York  
June 6, 2019

A handwritten signature in blue ink that reads "Katharine H. Parker". The signature is written in a cursive, flowing style.

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KATHARINE H. PARKER  
United States Magistrate Judge